Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

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NSAE-00 INRE-00 SS-15 SSO-00 NSCE-00 NSC-05
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APPROVED BY NEA:SSOBER
NEA/ARP:JWTWINAM
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NEA/P:GSHERMAN
H:RFLATEN
----------140046Z 055847 /62
O R 132338Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY MANAMA IMMEDIATE
INFO 0A/USNAVEUR
COMIDEASTFOR
CINCEUR
SECDEF
JCS
CNO

S E C R E T STATE 136927

E.O. 11652: GDS

TAGS: MORG, PFOR, BA

SUBJECT: MIDEASTFORCE NEGOTIATIONS

REFERENCES: (A) MANAMA 1220, (B) CINCUSNAVEUR 091652Z JUN 77

1. WE APPRECIATE EFFORTS OF EMBASSY AND COMIDEASTFOR TO MOVE ALONG WITH THIS AGREEMENT AND, WITH CERTAIN RESERVA-
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TIONS, CONCUR IN YOUR ASSESSMENT REF A THAT CHANGES REQUESTED BY GOB ARE GENERALLY ACCEPTABLE. FOLLOWING INITIAL COMMENTS ARE OFFERED FOR YOUR USE IN FURTHER NEGO-TIATIONS WITH LEGAL ADVISER AND/OR FOREIGN MINISTER.

2. TEXT OF NOTE A REPORTED PARA 7 REF A IS ACCEPTABLE.

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3. REFERENCE TO "CERTAIN EXEMPTIONS" IN NOTE B REPORTED PARA 8 REF A SHOULD BE DELETED TO CLARIFY THAT ALL PROVISIONS OF ENUMERATED ARTICLES WILL CONTINUE TO APPLY. WE ARE CONCERNED THAT BAHRAINI ATTEMPT NARROWLY TO DESCRIBE CATEGORIES OF PERSONS SUBJECT TO SOFA-TYPE PROVISIONS REFLECTS BAHRAINI INTENTION TO EXCLUDE FROM APPLICABILITY OF THESE PROVISIONS CERTAIN CATEGORIES, SUCH AS MIDEASTFORCE STAFF AND CREWS OF VISITING FLEET UNITS, INCLUDING FLAGSHIP.

YOU SHOULD THEREFORE AGAIN SEEK ACCEPTANCE OF WORDING QUOTE STATUS OF THOSE U.S. DEPARTMENT OF DEFENSE PERSONNEL WHO MAY RESIDE IN OR VISIT BAHRAIN AFTER JUNE 30, 1977. UNQUOTE.

4. ONLY AS A LAST RESORT SHOULD YOU ACCEDE TO BAHRAINI FORMULATION, AND THEN ONLY ON CONDITION THAT REFERENCE TO QUOTE PERFORMING TASKS UNQUOTE IS DELETED AND ONLY IF THIS FORMULATION IS CLEARLY UNDERSTOOD BY GOB TO INCLUDE PERSONNEL AND UNITS WHICH ARE SUPPORTED BY OR ATTACHED TO THE ADMINISTRATIVE SUPPORT UNIT AS WELL AS VISITING NAVAL SHIPS AND MILITARY AIRCRAFT. EMBASSY SHOULD SECURE GOB AGREEMENT ON THIS POINT (SUGGEST EXCHANGE OF LETTERS). TEXT OF SUCH AN EXCHANGE WOULD NEED WASHINGTON APPROVAL.

5. THE PROPOSED AMENDMENTS TO ARTICLES FOUR AND TWELVE SHOULD ALSO BE SIMILARLY REFORMULATED. IN ARTICLE FOUR, QUOTE MEMBERS UNQUOTE SHOULD BE CHANGED TO QUOTE PERSONNEL UNQUOTE FOR CONSISTENCY. WITH RESPECT TO THE PERSONS EXCLUDED FROM PASSPORT AND VISA REQUIREMENTS, YOU SHOULD

SEEK TO BROADEN QUOTE CREWS UNQUOTE TO QUOTE PERSONNEL ABOARD UNQUOTE IN ORDER TO ACCOMMODATE PASSENGERS. YOU SHOULD RETAIN QUOTE VESSELS AND AIRCRAFT UNQUOTE. WITH RESPECT TO ARTICLE FOUR'S PROVISIONS CONCERNING INSPECTION, REGISTRATION AND CONTROL OF ALIENS, WE CANNOT ACCEPT BAHRAINI REVERSAL OF THE 1971 AGREEMENT WITHOUT EXPLANATION. YOU SHOULD REVERT THEREFORE TO OLD LANGUAGE, MODIFIED TO ELIMINATE EXEMPTION FROM IMMIGRATION AND EMIGRATION INSPECTION.

6. (1) FOLLOWING IS OUR REFORMULATION OF NOTE B. QUOTE.
EXCELLENCY:
I HAVE THE HONOR TO REFER TO RECENT DISCUSSIONS BETWEEN OUR TWO GOVERNMENTS CULMINATING IN THE AGREEMENT OF (DATE OF SIGNING NOTE A) TO TERMINATE AS OF JUNE 30, 1977, THE AGREEMENT OF DECEMBER 23, 1971, CONCERNING THE DEPLOYMENT IN BAHRAIN OF THE UNITED STATES MIDDLE EAST FORCE. MY GOVERNMENT PROPOSES THAT THE PROVISIONS OF ARTICLE TWO AND ARTICLES FOUR THROUGH TWELVE (AS AMENDED HEREIN) OF

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THE TERMINATED AGREEMENT OF DECEMBER 23, 1971, AND PROCEDURES FOR IMPLEMENTING ARTICLES EIGHT AND ELEVEN THEREOF, AS CONTAINED IN THE EXCHANGE OF NOTES BETWEEN OUR TWO GOVERNMENTS OF JULY 31, 1975, SHALL NEVERTHELESS CONTINUE TO BE APPLIED BY BAHRAINI AUTHORITIES IN THE COURSE OF DEALING WITH THE STATUS OF THOSE U.S. DEPARTMENT OF DEFENSE PERSONNEL WHO MAY RESIDE IN OR VISIT BAHRAIN AFTER JUNE 30, 1977. (FALLBACK: FOR PURPOSES RELATED TO THE FUNCTIONS OF

THE ADMINISTRATIVE SUPPORT UNIT.)

MY GOVERNMENT FURTHER PROPOSES THAT WHEREVER THE PHRASE "UNITED STATES FORCE" APPEARS IN THE AFOREMENTIONED ARTICLES, THE PHRASE "PERSONNEL OF THE ADMINISTRATIVE SUPPORT UNIT" BE SUBSTITUTED. IN ADDITION, ARTICLES FOUR AND TWELVE SHOULD BE AMENDED TO READ AS FOLLOWS:

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"(4). PASSPORT AND VISA REQUIREMENTS SHALL BE APPLICABLE TO PERSONNEL OF THE ADMINISTRATIVE SUPPORT UNIT WITH THE EXCEPTION OF THE PERSONNEL ABOARD U.S. VESSELS AND AIRCRAFT VISITING BAHRAIN, WHO WILL BE FURNISHED WITH APPROPRIATE IDENTIFICATION WHICH SHALL BE PRODUCED, UPON DEMAND, TO THE APPROPRIATE AUTHORITIES OF THE GOVERNMENT OF BAHRAIN. PERSONNEL OF THE ADMINISTRATIVE SUPPORT UNIT WILL BE EXEMPT FROM REGISTRATION AND CONTROL AS ALIENS, BUT WILL NOT BY REASON OF THEIR ENTRY INTO BAHRAIN BE REGARDED AS ACQUIRING ANY RIGHTS TO PERMANENT RESIDENCE IN BAHRAIN.

"(12). THE TERM "PERSONNEL OF THE ADMINISTRATIVE SUPPORT UNIT"MEANS U.S. DEPARTMENT OF DEFENSE PERSONNEL WHO MAY RESIDE IN OR VISIT BAHRAIN AFTER JUNE 30, 1977. (FALLBACK: FOR PURPOSES RELATED TO THE FUNCTIONS OF THE ADMINISTRATIVE SUPPORT UNIT, INCLUDING DEPENDENTS, BUT EXCLUDING INDIGENOUS BAHRAINI NATIONALS AND OTHER PERSONS ORDINARILY RESIDENT IN BAHRAIN TERRITORY, PROVIDED THAT SUCH NATIONALS OR OTHER PERSONS ARE NOT DEPENDENTS OF MEMBERS OF THE ADMINISTRATIVE SUPPORT UNIT.)

MY GOVERNMENT FURTHER PROPOSES THAT OUR TWO GOVERNMENTS ENTER INTO ADMINISTRATIVE ARRANGEMENTS WHICH WILL CONFIRM THE AUTHORIZATION OF YOUR GOVERNMENT FOR VISITS OF U.S. VESSELS AND AIRCRAFT TO BAHRAIN AND FOR ADMINISTRATIVE SUPPORT OF DEPARTMENT OF DEFENSE PERSONNEL IN BAHRAIN (FALLBACK: RELATED TO THE FUNCTIONS OF THE ADMINISTRATIVE SUPPORT UNIT) AND WHICH WILL PROVIDE FOR COMPENSATION TO BAHRAIN IN CONSIDERATION OF THESE ARRANGEMENTS. IF THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF BAHRAIN, I

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HAVE THE HONOR TO PROPOSE THAT THIS NOTE AND YOUR NOTE IN REPLY CONFIRMING ITS ACCEPTANCE WILL CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS REGARDING THIS MATTER. UNQUOTE.

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7. COMMENTS WITH REGARD TO LEASE WILL FOLLOW BY SEPTEL.
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Message Attributes

Automatic Decaptioning: X
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Secure: OPEN
Status: NATIVE
Subject: MIDEASTFORCE NEGOTIATIONS
TAGS: MORG, PFOR, MARR, BA, US
To: MANAMA
Type: TE
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